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City of Sausalito

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NORTHERN CALIFORNIA RIVER WATCH, a  
non-profit corporation,,

Plaintiff,

vs.

CITY OF SAUSALITO, and DOES 1-10,  
Inclusive,

Defendant.

Case No. CV 08 1966

**DECLARATION OF STUART I. BLOCK  
IN SUPPORT OF STIPULATED  
REQUEST FOR ORDER CONTINUING  
INITIAL CASE MANAGEMENT  
CONFERENCE**

Judge: Hon. Samuel Conti

I, Stuart Block, declare:

1. I am a member of the law firm of Cox Castle & Nicholson LLP, counsel for Defendant City of Sausalito in the above captioned action. The statements made in this Declaration are based on my personal knowledge, and if called as a witness I could and would testify competently thereto.

2. The complaint filed by Plaintiff Northern California River Watch in this action asserts three separate claims under the Clean Water Act, 33 U.S.C. § 1251 *et seq.* and the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.* The complaint's allegations relate to the City's role in the operation of a complex, multi-party wastewater collection and treatment system which, the complaint alleges, collects sewage from approximately 6,200 connections and serves 7,454 citizens in southern Marin County. The complaint further alleges that City's collection system is a

1 source of increased wet weather flows into the Sausalito-Marín City Sanitary District due to alleged  
2 inflow and infiltration of stormwater and groundwater into the City's sewers through cracks, eroded  
3 sections and misaligned joints. The City just recently retained Cox, Castle & Nicholson as counsel in  
4 this matter.

5 3. The parties have engaged in initial discussions regarding Plaintiff's claims and Plaintiff has  
6 provided to the City a proposal for settlement of the present action. The City, its engineers, and its  
7 counsel have commenced evaluation of Plaintiff's claims and its settlement proposal; however, given  
8 the sheer number of issues raised in the complaint, additional investigation remains outstanding. The  
9 City also requires additional time to assess the elements of Plaintiff's settlement demand. The City  
10 believes that a brief extension will permit the parties to more effectively approach resolution of this  
11 matter and most efficiently utilize the Court's time and resources.

12 4. There have been no prior extensions of time sought or granted in this matter, and the  
13 continuance would affect only those dates presented in the chart on page 2 of the Stipulated Request.

14 I declare under penalty of perjury under the laws of the United States of America that the  
15 foregoing is true and correct. Executed in San Francisco, California.

16 DATED: July \_\_\_\_, 2008

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18 \_\_\_\_\_  
Stuart I. Block